



PATENT  
Customer No. 22,852  
Attorney Docket No. 08702.0039-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
WANG *et al.* ) Group Art Unit: 1647  
)  
Application No.: 09/804,625 ) Examiner: Not yet assigned  
)  
Filed: March 9, 2001 )  
)  
For: BMP PRODUCTS )

#12  
M.G.J.  
8/28/03

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a Office Action dated April 14, 2003, the Examiner required restriction under 35 U.S.C. § 121 between Group I (Claims 24-26, 29, 30, 33, 35, 36, 38, 39, 41 and 42) directed to a polynucleotide encoding amino acids 299-396 of Figure 2; Group II (Claims 24, 27, 28, 31, 32, 34, 35, 37, 38, 40, 41 and 43) directed to a polynucleotide encoding amino acids 311-408 of Figure 3; Group III (Claims 44-48) directed to a polypeptide comprising amino acids 299-396 of Figure 2; and Group IV (Claim 49) directed to an antibody that binds a polypeptide comprising amino acids 299-396 of Figure 2. Applicants provisionally elect to prosecute Group I claims 24-26, 29, 30, 33, 35, 36, 38, 39, 41 and 42 drawn to a polynucleotide encoding amino acids 299-396 of Figure 2.

Applicants believe that any extension of time required to enter this Response is accounted for by the Petition and fee filed concurrently with this Response. However, in the event of an error please grant any additional extension of time required to enter this Response and charge any additional required fees to deposit account 06-0916.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

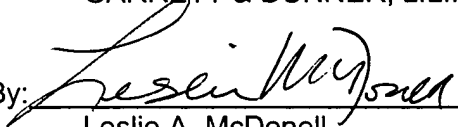


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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 13, 2003

By:   
Leslie A. McDonell  
Reg. No. 34,872

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HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
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Fax 202.408.4400  
www.finnegan.com